



Rowan County Planning and Development Department

402 North Main Street • Salisbury, N.C. 28144-4341

Building Inspections: 704-216-8619

Planning: 704-216-8588

Fax: 704-638-3130

STAFF REPORT

TO: Chairman Hill and Rowan County Planning Board
FROM: Shane Stewart, Senior Planner
DATE: April 15, 2010
RE: **Z 02-10 – RA & RA-AO to RS**
Owners: 27 parcels owned by 20 property owners
Applicant: Rowan County Planning Board

PLANNING BOARD ACTION

- ☐ Receive staff report
- ☐ Conduct hearing
- ☐ Close hearing and discuss case
- ☐ Grant / Deny / Table **Z 02-10**

BACKGROUND

Z 04-02 – In May of 2002, the Board of Commissioners (BOC) initiated the rezoning of several hundred acres along Long Ferry Road from the intersection of Goodman Lake / Leonard Road to its termination at High Rock Lake due to concerns from area residents over potential incompatible land uses. The BOC rezoned the remaining stick-built subdivisions from Rural Agricultural (RA) to Residential Suburban (RS) and applied an Agricultural Overlay (AO) to existing RA zoned property surrounding the Anchor Downs subdivision after the Mary Lambe Heirs (majority ownership in request) expressed a desire to retain the RA zone since some of the property was being farmed and the family did not have plans for development.

Within the area immediately adjacent to Anchor Downs, an AO was applied to the Mary Lambe Heirs property totaling 230 acres and 25 other parcels totaling approximately 33 acres. The Agricultural Overlay satisfied concerns from area residents by prohibiting the creation of new non-family lots that could be developed with manufactured housing while maintaining the underlying RA zone.

Z 22-04 – In February of 2005, the Lambe Heirs requested the rezoning of their 230 acres from RA-AO to RS to establish the Lakeside Farms subdivision. Mr. Todd Kidd also

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joined this request to rezone his 1.45 acre parcel from RA-AO to RS. The resulting RS district formed a perimeter around the 25 RA-AO parcels referenced above.

Z 07-06 & Z 04-09 – Two additional rezoning requests from RA-AO to RS for four parcels totaling twelve acres were approved on November of 2006 and December 2009 respectively.

After processing three subsequent requests after **Z 04-02**, Planning Staff requested Committee A of the Planning Board evaluate the remaining RA & RA-AO properties located within the RS zoning boundary for a potential change to RS.

REQUEST

Under this request, a total of 27 parcels identified in Attachment A would be zoned as follows: 5 parcels from RA to RS & 22 parcels from RA-AO to RS (see map). This request is forward by Committee A as a motion to approve.

STAFF REVIEW: General Criteria

In accordance with Section 21-362 (i), staff provides the following review:

ZONING CRITERIA

1. Relationship and conformity with any plans and policies.

Plans / Policies – N/A

2. Consistency with the requested zoning district's purpose and intent.

"The purpose of this zoning district is to protect existing residential neighborhoods and promote the creation of more residential neighborhoods. These areas are typically near major thoroughfares and have or could be provided significant infrastructure. Commercial uses, business uses and multifamily uses are generally not allowed."

Removing the agricultural overlay is logical since none of the properties are large enough to contain extensive farming activities. RS is the most appropriate district based on the surrounding stick-built subdivisions and a comparison of the permitted uses in each district. This would remove multiple gaps within the current RS formed boundary and protect the surrounding neighborhoods from incompatible land uses.

3. Compatibility of all uses within the proposed district classification with other properties and conditions in the vicinity.

See section 2 above. Anchor Downs, Crane Point, Lakeside Farms, and The Bluffs form a perimeter around the proposed rezoning area. These mostly stick-built subdivisions are either totally or partially zoned RS.

4. Potential impact on facilities such as roads, utilities and schools.

Roads / Schools – While removing the AO zone could facilitate in the creation of a couple of additional lots, this request will not have a noticeable effect on the roads or schools.

Utilities – N/A

PROCEDURE

Since this request matches the surrounding RS zone, a statement of reasonableness is not necessary. Even in areas of the county that do not have land use plan, the Planning Board has typically provided a statement of consistency to address the relationship between this request and any applicable county adopted plans

MARCH 4, 2010 COMMITTEE A MEETING

Committee A voted unanimously (3-0) to recommend approval of the request as presented.

STAFF COMMENTS

Planning Staff attempted to make contact with most of the property owners via phone to discuss prior to receiving a mailed notice. All appear to support the zone change to RS.

A total of 69 letters were mailed to either owners of the properties considered in this request or adjacent landowners. Eight signs were posted throughout this area to provide notice to passersby.

Staff supports the request as presented.